

THE DEFENSE ASSOCIATION OF NEW YORK, INC.
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April 4, 2023

Honorable Kathy Hochul
Governor of the State of New York
NYS State Capitol Building
Albany, New York 12224

Dear Governor Hochul:

The Defense Association of New York (“DANY”) has considered the qualifications of the seven (7) individuals whose names were submitted by the Commission on Judicial Nomination for possible appointment as Chief Judge of the Court of Appeals in connection with the vacancy on the Court created by the resignation of Janet DiFiore. DANY’s Judiciary Screening Committee reviewed each nominee’s background, decisions, writings and submissions. The Committee then conducted personal interviews with all seven (7) of the nominees via Zoom on April 4, 2023.

In evaluating the nominees, the Committee considered: Judicial temperament; legal ability and experience; legal writing ability; general reputation, character and fitness; industriousness, diligence and promptness; impartiality, and freedom from bias and prejudice. Civil defense attorneys throughout the state who specialize in tort law as well as DANY’s members were invited to provide input regarding the qualifications of the nominees for consideration by the Committee.

Based on those evaluations, DANY has rated the nominees, as follows:

- The Hon. Anthony Cannataro, Acting Chief Judge, New York Court of Appeals - Well Qualified and Recommended;
- Hon. Elizabeth A. Garry, Presiding Justice, Appellate Division, Third Department- Well Qualified;
- Caitlin J. Halligan, Esq., Partner, Selendy Gay Elsberg PLLC, Well-Qualified;

- Corey L. Stoughton, Esq., Attorney-in-Charge, Special Litigation and Law Reform, The Legal Aid Society – Well Qualified and Recommended;
- Hon. Shirley Troutman, Associate Judge, New York Court of Appeals – Well Qualified and Recommended;
- Hon. Gerald J. Whalen, Presiding Justice, Appellate Division, Fourth Department- Well Qualified;
- Hon. Rowan D. Wilson, Associate Judge, New York Court of Appeals - Well Qualified and Recommended;

We hope that you will find this information helpful in making an appointment to the office of Chief Judge of the Court of Appeals.

Respectfully yours,

Claire F. Rush

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